



DOCKET FILE COPY ORIGINAL Received & Inspected

FEB 20 2009

FCC Mail Room

2/18/09

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Suite TW-A325  
Washington, D.C. 20554

RE: EB Docket No. 06-36  
**Annual CPNI Certification for Year 2008**

Dear Ms. Dortch:

In accordance with Public Notice DA 09-9, issued on January 7, 2009, attached is the annual CPNI certification filing for the year of 2008, pursuant to 47 C.F.R § 64.2009(e), for the City of Hawarden Municipal Utilities dba HITEC. The attached statement of CPNI Compliance explains how the Company's operating procedures ensure that it is in compliance with the foregoing FCC rules.

I am making this certification for the year 2008.

Sincerely,

A handwritten signature in cursive script that reads "Sharole Rens".

Sharole Rens  
Acting City Clerk

Attachment

cc: Best Copy and Printing, Inc.  
445 12<sup>th</sup> Street  
Suite CY-B402  
Washington, D.C. 20554

No. of Copies rec'd 044  
List A B C D E



Received & Inspected

FEB 20 2009

FCC Mail Room

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for: 2008

Date filed: 2/18/09

Name of company(s) covered by this certification: City of Hawarden dba HITEC

Form 499 Filer ID: 819524

Name of signatory: Sharole Rens

Title of signatory: Acting City Clerk

I, Sharole Rens, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. If the Company obtains any information with respect to the processes pretexters are using to attempt to access CPNI, it will report that information along with what steps the Company is taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed

Sharole L. Rens

2/17/2009

Attachment

**CERTIFICATE OF COMPLIANCE WITH PROTECTION OF  
CUSTOMER PROPRIETARY NETWORK INFORMATION RULES  
and letter of Inquiry eb-06-4495 Response**

Sharole Rens signs this Certificate of Compliance and inquiry response in accordance with § 222 of the Telecommunications Act of 1996, as amended, 47 USC 222, and 47 CFR 64.2009, on behalf of The City of Hawarden Municipal Utilities dba HITEC Communications. This Certificate of Compliance addresses the requirement of 47 CFR 64.2009 that the Company provide both a Certificate of Compliance and a "statement accompanying the certificate" to explain how its operating procedures ensure compliance with 47 CFR 64.2001-.2009.

On behalf of the Company, I certify as follows:

1. I am the Acting City Clerk of the Company. My business address is 1150 Central Avenue, Hawarden, Iowa 51023.
2. I have personal knowledge of the facts stated in this Certificate of Compliance. I am responsible for overseeing compliance with the Federal Communications Commission's (FCC) rules relating to customer proprietary network information (CPNI).
3. The Company has established a system by which the status of a customer's approval for use of CPNI, as defined in 47 USC 222(h)(1), can be clearly established prior to the use of CPNI. The Company relies on the involvement of its high level management to ensure that no use of CPNI is made until a full review of applicable law has occurred.
4. The Company trains its personnel regarding when they are authorized to use CPNI, as well as when they are not authorized to use CPNI. However, Company personnel make no decisions regarding CPNI without first consulting with myself or Kristi Waterman, The Company's Customer Service Manager. The Company has an express disciplinary process in place for personnel who make unauthorized use of CPNI.
5. The Company's policy is to maintain records of its own sales and marketing campaigns that use CPNI. To date, The Company has not ever used CPNI for sales or marketing purposes. The Company likewise maintains records of its affiliates' sales and marketing campaigns that use CPNI. The Company also maintains records of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. These records include a description of each campaign, the specific CPNI that was used in the campaign, and the products and services that were offered as a part of the campaign. To date, none of The Company's affiliates nor have any third parties associated with The Company undertaken a sales or marketing effort that has used CPNI and no affiliates or third parties were given access to The Company's CPNI. The Company maintains these records in its offices for a minimum of one year.

6. The Company has a supervisory review process regarding compliance with the FCC's rules relating to protection of CPNI for outbound marketing situations. The purpose of this supervisory review process is to ensure compliance with all rules prior to using CPNI for a purpose for which customer approval is required. Company personnel, prior to making any use of CPNI, must first consult with myself or Kristi Waterman regarding the lawfulness of using the CPNI in the manner contemplated. In deciding whether the contemplated use of the CPNI is proper, either Kristi or I consult one or more of the following: the Company's own compliance manual, the applicable FCC regulations, the FCC's Compliance Guide, and, if necessary, legal counsel. The Company's sales personnel must obtain supervisory approval from either Kristi or I regarding any proposed use of CPNI. Again, no sales or marketing campaigns undertaken by The Company, its affiliates or related third parties to date have used CPNI.

7. Further, both Kristi and I personally oversee the use of opt-in, opt-out, or any other approval requirements, or notice requirements (such as notification to the customer of the right to restrict use of, disclosure of, and access to CPNI), contained in the FCC's regulations. I also review all notices required by the FCC regulations for compliance therewith.

8. Kristi and I also ensure that the Company enters into confidentiality agreements, as necessary, with any joint venture partners or independent contractors to whom it discloses or provides access to CPNI.

9. The Company's policy is to maintain records of customer approval for use of CPNI, as well as notices required by the FCC's regulations, for a minimum of one year. The Company maintains records of customer approval and disapproval for use of CPNI in a readily-available location that is consulted on an as-needed basis.

10. There have been no actions taken against data brokers and there have been no customer complaints received in the past year concerning unauthorized release of CPNI.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 18, 2009.

Sharole Rens Acting City Clerk  
HITEC Communications  
Date: February 18, 2009

Signature: \_\_\_\_\_

*Sharole L. Rens*